

CADDWELL, THE DUKE MAKER

ARRESTED ON ARRIVAL HERE, IS LET GO ON \$5,000 BAIL.

Weakness of the Affidavit the Sole Reason for Not Locking Him Up for Extrajudicial Punishment in His Story of the Murder of Dr. Druce Still Lingers in London.

Robert C. Caldwell, of Staten Island, the affidavit necromancer who set London by its ears two months ago with the story of the double life of a generation ago by the fifth Duke of Portland, again even on the witness stand in the suit brought by George H. Druce to establish his claims as grandson, returned on the Kaiserin Augusta yesterday morning to find himself under arrest on a charge of perjury. Courtney W. Bennett, British Consul-General at this port, had secured the warrant under instructions from the British Foreign Office.

Caldwell received the warrant for his arrest with the latitude born of severe illness. In the opinion of two physicians, duly sworn to before the United States Commissioner yesterday, he is close to death and for that reason his release on bail of \$5,000 was sanctioned by Judge Hough of the Circuit Court a few hours after his arrest, and with his daughter, Miss Georgiana Caldwell, he went to his home at Rosebank, Staten Island.

Two weeks from next Monday the chief witness in the Druce case will have to appear before Commissioner Alexander for preliminary examination. In the meantime the necessary papers for extradition and setting forth more in detail the crime with which Caldwell is charged will have arrived from England. Caldwell readily admitted his identity. Nothing remains for him but the fight his lawyers are going to put up against his being returned to England on the summons of the London court. It will be death if he goes, they said yesterday.

On December 13 the Magistrate of the Bow Street police court in London issued a warrant for the arrest of Robert Caldwell, who was then supposed to be living at 15 Albert road. Although detectives had been watching the house on Albert road every day that Caldwell had occupied it, when two from Scotland Yard went to serve the warrant they found that the American witness had fled. Later they traced him on board the Kaiserin Augusta Victoria, which had sailed from Southampton the day before. The ship was caught by wireless and a cable message sent to New York through the Foreign Office instructing the Consul to arrange for Caldwell's apprehension on this side.

The warrant, which was drawn up here, charged that on November 8 and 15 last Caldwell had "wilfully and corruptly sworn falsely in giving testimony in the trial of Rex v. Druce, and that he had thereby committed wilful and corrupt perjury, thereby by his flight to America constituting himself a fugitive from the justice of Great Britain." It was with this charge that United States Deputy Marshal Bernard H. Hensel's office went down the bay in the revenue cutter yesterday morning to arrest the man from Staten Island.

Caldwell had made the trip across in the second cabin. He had remained very much alone and had attracted the attention of none of the passengers, even after the message that he had been carried by wireless to the ship had been bruited about. Only one friend he had, W. C. Cabell, of New York, who, said he was of Buffalo, an undersized, pale-faced man, who had befriended the invalid through the whole trip and who was not to be seen until the ship was in New York. Caldwell was taken off the boat under arrest. The deputy marshal had no difficulty in finding Caldwell, and had given him the warrant to read when W. C. Cabell, of New York, Battle & Marshall, 37 Wall street, clung to Caldwell from the side of the liner and ran up to Caldwell.

"Your daughter engaged us as her lawyers yesterday," shouted Cabell as he ran toward the bent figure in the steamer chair, "and as your lawyer I advise you not to say anything."

Caldwell took the advice of the newly discovered lawyer and said nothing. He told the customs officers that he had nothing to declare but a postage stamp, and then he made the trip to the Hoboken pier he made in silence, huddled up in his chair. At the wharf his daughter met him.

Witnesses in the trial of Caldwell are now being taken from the strain of emotion. Together, and with the little Mr. Christiansen supporting the elderly man all the way, they made their way after the deputy marshal to the Post Office building in New York.

George Gordon Battle, Consul-General Bennett, and his attorney, Mr. Cabell, were already on hand at Commissioner Alexander's office. As soon as Caldwell had answered the preliminary questions of the Commissioner, he was taken to the cell for his client before Judge Hough. The Judge said that if doctors should decide that the prisoner's condition was such that imprisonment would be dangerous he would accept \$5,000 bail.

Mr. Battle procured Dr. George T. Harrison of West Fifty-first street and the counsel for the British Consul-General, brought in Dr. Richard E. Shaw of the Long Island College Hospital. After an examination of the prisoner the doctors swore that he was suffering from severe kidney ailments and arterial cirrhosis and that incarceration might be fatal. Then Judge Hough accepted bail offered by Frank D. Cutler, of New York City.

Caldwell, stooped and tottering and seeming all the time in a daze, went out into the hall with his daughter. There he stopped and turned to the pale-faced little man from Buffalo who had befriended him on the voyage.

"I probably will never see you again," the white-haired man faltered as he put his hand on the shoulder of the man beside him. "But I want to cut down God's blessing on your head for the part you have done me. You didn't know whether I was guilty or innocent, but it made no difference. Good-by and God bless you."

Then Caldwell turned and walked over to his home on Staten Island. The man followed his lawyer's warning to do no talking. Mr. Battle said that his client would make a stout case now and that he did not believe that a statement was necessary at any future time except in court.

Unless Caldwell is forced to go back to England and stand trial for perjury, death may come to put a seal on his lips before the question the people of Britain are asking can be answered.

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counsel for the Druces announced that the prosecution desired to have all of Caldwell's evidence thrown out of the court record. That was the day after a warrant for his arrest had been issued.

Despite the collapse of Caldwell's story enough confidence in the possible truth of some of the details he gave remains to lead counsel for the Druce contestants to apply for the opening of the vault in which, according to the story of the Staten Islander, 200 pounds of lead and not the body of Thomas Druce would be found.

WON'T OPEN DRUCE GRAVE.

Official Denial That Home Office Has Consented to the Proceeding.

Special Cable Dispatch to This Sun.

LONDON, Dec. 21.—It was announced yesterday that the Home Office, with the consent of Herbert Druce, the owner of the Druce family vault in Highgate Cemetery, had agreed to the opening of the grave soon after Christmas, to set at rest the question whether the coffin interred there contained the remains of T. C. Druce or 200 pounds of lead.

To-day it is officially denied that any arrangement for the opening of the grave has been reached.

THE SECOND PEACE CONFERENCE.

James Brown Scott, at a Dinner Given in His Honor, Tells of Its Achievements.

WASHINGTON, Dec. 21.—At a dinner given in his honor at the New Willard Hotel to-night James Brown Scott, the solicitor of the State Department and technical expert of the American delegation to the second Hague peace conference last summer, said that the work accomplished by the conference was a great advance and improvement on the achievements of the first conference. The dinner was given by Mr. Scott's associates on the faculty of George Washington University and other friends in official life in Washington in recognition of his services at the conference. The dinner was held for ninety guests.

Henry B. F. MacFarland, president of the Board of Commissioners of the District of Columbia, was toastmaster.

After outlining the work of the first Hague conference and comparing it with the accomplishments of the second conference, Mr. Scott said:

"We are now prepared to answer the question whether the Second International Peace Conference was in reality a peace conference and whether it deserves a successor. It was international because the nations of the world were represented. The first conference invited left a fraction of the independent sovereigns; the second conference invited forty-six nations and forty-four attended. It was a peace conference because its great measures sought, by preventing a recourse to arms, not only to preserve but to establish peace."

First—It revised the convention for the pacific solution of international conflicts so as to make it more comprehensive and more adequate to meet the purpose for which it was created.

Second—It agreed unanimously to renounce force and to submit to arbitration international difficulties arising out of contract indebtedness.

Third—It established an international court of prize in order that the captors' acts should no longer be judged under the bias of national prejudice, but should be approved or disapproved by the right of neutral safety-guarded by an international court in which the belligerent as well as the neutral interests are represented.

Fourth—It unanimously recognized the power of obligatory arbitration and stated with unanimity that certain great questions of a judicial nature, especially the interpretation and application of international convention, are susceptible of obligatory arbitration.

Fifth—It laid the foundations, indeed established, a court of arbitral justice, leaving, however, the appointment of the judges to the subsequent agreement of interested nations.

Sixth—It provided that a third international conference of peace meet approximately eight years hence under charge of the Powers, and that this conference organize and conduct its proceedings under a sense of international responsibility and under the denomination of no one nation.

I submit, therefore, that the second international peace conference justified its name and its great predecessor; that its meeting has bettered the world and given mankind a hope for the future, and it therefore deserves a successor.

Speeches were also made by President Needham of George Washington University, Justice Harlan of the Supreme Court of the United States, President Woodward of the Carnegie Institution, Mr. O'Connell of the Catholic University and Judge Morrow and Senator Flint of California.

RECEIVER FOR WRECKED BANK.

C. G. Bancroft of Natick in Charge of North Attleboro Institution.

NORTH ATTLEBORO, Mass., Dec. 21.—Assistant Secretary of the Treasury Reynolds has appointed Charles G. Bancroft of Natick permanent receiver of the insolvent Jewelers' National Bank of this town to succeed Bank Examiner Currier, who was appointed temporary receiver by the Comptroller of the Currency. How completely the bank was wrecked through the investments and loans of Cashier Sargent was revealed when the vaults of the institution were found to contain but about \$1,000 in cash.

Some of the most prominent business men here are planning to organize a new bank. The generally accepted theory of the bank's losses is that Sargent became involved in numerous enterprises which did not prove to be good investments, and turned to the funds of the bank.

FAMINE IN TURKEY.

Nervous Work Impending in Asiatic Provinces—Appeals to the Porte.

WASHINGTON, Dec. 21.—The State Department has received advices from the Embassy at Constantinople that a famine is impending in the vilayets of Van, Bitlis, Diarbakir and Marmaret El Aziz, in eastern Turkey in Asia.

Missionaries in Van have reported that they cannot obtain the necessary permission to permit Americans in Van to import grain from the vilayet of Erzerum.

It is feared there will be much suffering this winter in these districts.

Uncle Sam Gets Watch and Rings.

Jacob Lowensky, a cabin passenger by the Hamburg-American liner Kaiserin Augusta Victoria, in yesterday declared a large amount of valuable jewelry, which he paid several hundred dollars. His nervousness and the fact that he is a Jeweller Special Customs Inspectors O'Donnell and Peterson to invite him into a cabin aboard the ship. In the inside pocket of the under one they found a gold watch with a diamond-studded fleur-de-lis shaped guard and two heavy rings set with settings of diamond and pearl running half the length of a finger, all valued at \$1,500. Mr. Lowensky was permitted to depart without the watch and rings, which will be sold by Uncle Sam.

Clarence L. Cooper, Charged With Forging Checks, Arrested.

The Pinkertons were advised yesterday of the arrest in Davenport, Ia., of Clarence L. Cooper, who is charged with forging checks and has been in the country since 1904 by means of forged checks. Some of his checks have been drawn on the Bank of Long Island in Jamaica and the Hanover National Bank of America and the National City Bank of New York. The Pinkertons think Cooper has obtained \$25,000 by fraud in the last three years. He is believed to be a native of Jamaica, L. I.

NEW HAVEN MINISTER ON TRIAL

ACCUSED OF BORROWING OTHER MEN'S SERMONS

And Justifying It by Bringing the Same Charge Against the Rev. Dr. Newman Smyth and the Rev. Frank R. Luckey—Allegations Also of Untruthfulness.

NEW HAVEN, Dec. 21.—The most sensational trial of a Congregational minister in Connecticut in the last quarter century is being conducted in this city by the general council of the Congregational churches of this vicinity, who have before them the Rev. Thomas McKay, former pastor of the Taylor Congregational Church in this city, charged with wrecking the church, plagiarism and untruthfulness.

Mr. McKay gave up his pastorate last January when some of the leaders in the church informed him that if he tried to stay any longer he would be dismissed. He has recently applied for papers to be allowed to preach in other churches and the trial is the result of opposition by leading members of his former congregation to granting him these papers.

In the testimony that has already been brought out in the two days that the trial has been in progress Mr. McKay is charged with accusing the Rev. Frank R. Luckey, pastor of the Humphrey Street Congregational Church, one of the wealthiest and most fashionable churches in the city, of stealing other people's sermons, and also declaring that the Rev. Dr. Newman Smyth, pastor of Center Church, the leading Congregational church of Connecticut, and member of the Yale Corporation, used other people's brains in his sermons.

The allegations against the leaders of Congregationalism in Connecticut came out in the testimony of John Crapp, a contractor, who said:

"Mr. McKay preached pretty good sermons when he first came here and I thought something was wrong. One day I bought a book and found that the sermons he was working off on us were Dr. Talmage's. Mr. McKay didn't read, I had told him that he wrote to Pennsylvania and found that he had wrecked a church there."

"I then withdrew from the Taylor church and Mr. McKay wouldn't give me a letter of dismissal."

Mrs. Thomas Waite, the leading woman worker of the church, was on her feet in an instant continuing:

"When Mr. McKay was charged with delivering other people's sermons he came to me with a little book. I had told him that the Rev. Frank R. Luckey of New Haven was my favorite preacher and he opened the book and said: 'I will show you that I am not the only preacher who preaches other people's sermons. Here is the one Mr. Luckey preached.' The book was Dr. MacArthur's sermons."

This created a storm among the pastors and the Rev. Artemas J. Haynes, pastor of the United Church, whose congregation is composed of Yale professors, asked quickly:

"Did you read the sermon?"

"Yes," replied Mrs. Waite.

This was too much for Dr. Smyth and he interrupted the testimony saying:

"Do I hear correctly? Does this lady say that Mr. McKay accused one of our body of delivering other people's sermons?"

"Yes," responded Mrs. Waite, "that's what he said. I read the sermon through. The idea was the same in the main, but it was not the same sermon."

George Davis, a teamster, testified as follows:

"Mr. McKay told me that the Rev. Newman Smyth used abstracts of other people's sermons to make his own out of, and that he admitted it. Mr. McKay didn't tell the truth about the financial condition of the church."

He said the church was in debt, and we owed for the organ and the janitor. He said that Dr. Smyth would pay for the organ, but Dr. Smyth didn't."

Then Rev. Mr. McKay said that some of the members of the Ladies Aid Society were down on him and that they accused him of trying to break up their organization.

The trouble started over a piano raffia. The women insisted that when the piano was drawn the pastor refused to give out the name of the holder of the lucky number and that the piano in consequence was stored in the cellar of the church for some months.

Mrs. Hyde, who was president of the Ladies Aid Society at the time, testified that she had found her pastor untruthful. She said he told her son, when the boy caught him buying cigars, that he didn't smoke, but that he bought them to treat the other Congregational ministers when they came to call on him. Later the boy said that he met the minister smoking a pipe. Then Mrs. Hyde and her son left the church.

One of the great grievances against the former pastor was his untruthfulness in his preaching papers. According to Deacon Bradley of the church, Mr. McKay tried to break up the services during the preaching of his successor, a small church meeting. When the ministers asked him to tell of this incident he said:

"After Mr. McKay left the church last January he did not return until November, when with thirty-seven members of his faction he walked in, raised a disturbance and demanded his ticket of admission. He was preaching about Gideon and his band."

"Mr. McKay said he wasn't afraid of Mr. Harris, even if he was three inches taller. He said he was from Pennsylvania he busted up a church there."

So many versions of this incident were given by those who were present when former Pastor McKay and present Pastor Harris got into a fight that Milton F. Whittier of the Yale divinity school, superintendent of the Sunday school, was called on to tell the really true story.

He said that Mr. McKay with his friends came into the service just as Mr. Harris was preaching of Gideon. The girls in the church were standing in a small circle whereupon Pastor Harris said that their laugh was idiotic. The meeting broke up with considerable disturbance.

When the trial resumed Monday, at which time the Rev. Mr. McKay will have a chance to explain things.

YOUNG PICKPOCKETS ARRESTED.

Caught on Surface Car Trying to Rob Women Passengers.

Two boys in short trousers were arraigned before Magistrate Corrigan in the Tombs police court yesterday charged with being pickpockets. They had been arrested on a Twenty-third street surface car by Detective Finn of the Central Office, who saw them trying to open the handbags of women passengers.

When arraigned the boys said they were Samuel Kanner of 234 Cherry street and Harry Krenshinsky of 74 Avenue C.

"The younger boy, Krenshinsky, is already on parole for a similar offense," said the detective. "He was recently convicted in the Children's Court of stealing \$150 worth of lead."

The Magistrate sentenced Kanner to the City Reformatory and Krenshinsky to the Catholic Reformatory.

Two Weeks More of Powers Trial.

GEORGETOWN, Ky., Dec. 21.—Many witnesses in the trial of Caleb Powers gave evidence to-day corroborating the claim of Powers that Henry E. Youssay alone killed Goebel. The confessions of Youssay, Wharton, Golden and Robert Stokes were attacked at many points. Judge Morris announced that he would hold court through the holidays, not even adjourning on Christmas Day. It is expected that the trial will last fully two more weeks.

TCHAYKOVSKY'S RUSSIAN JAIL.

Friends Learn That He Is in Fortress of St. Peter and St. Paul.

American friends of Nicholas Tchaykovsky, the aged Russian revolutionist who was arrested a week or more ago when he returned to his native land after having been in exile for twenty-five years, have learned that he is confined in the fortress of St. Peter and St. Paul in St. Petersburg. This news came in a cable message from Tchaykovsky's wife, Miss Lillian D. Wald, head of the Henry Street Settlement. Here is the message:

Husband imprisoned in fortress. Wish me to come to St. Petersburg to secure permission for interview with him. He is suffering from scantiness of the convict's uniform; is deprived of flannel.

Mrs. Tchaykovsky was in South Russia at the time of her husband's arrest and the message came from her there. Tchaykovsky had gone on to St. Petersburg to see some old friends.

Tchaykovsky is 70 years old. His friends in this country who have been circulating a petition asking for the release of the patriot and of Catherine Breshkovsky, who was arrested at the same time, said yesterday that the fortress is situated on the bank of the River Neva, and that its foundations being practically level with the water, the whole interior is permeated with dampness. The walls of the fortress are from ten to twelve feet thick and the windows so small that scarcely a ray of sunlight penetrates to the cells.

Robert Erdine Ely, chairman of the publicity committee that is working to effect the release of the two prisoners, said yesterday that the committee had made many efforts to find out the details of the arrests—what the charges are against Tchaykovsky and Mrs. Breshkovsky and what their condition is—but that their numerous messages are unanswered.

"This seems to prove," said Mr. Ely, "that the Russian Government is exercising as strict a censorship that no information about this matter is allowed to get out of the country."

The committee hopes to be able to secure enough funds to furnish clothing for the two prisoners and to supply them with proper food and clothing. W. B. Holland of 105 East Twenty-second street is receiving the contributions.

The petition, which asks the release of the prisoners on the ground that it would be interpreted as an act of friendship by the police and the military, and that the friends and well wishers for the welfare of Russia, will be called to Stolytin, the Russian Premier, to-day.

BOMB BLOWN OUT OF BED.

Italian Barber's Sleeping Quarters Wrecked in First-Avenue Tenement.

The explosion of a bomb in the hallway of a tenement house at 633 First avenue early yesterday morning, and considering the damage to the building and frightened badly the twenty families that live in the five-story building.

No one was killed, although the bomb exploded within a few feet of a bedroom in which Angelo Traficanti and his wife were sleeping. Both were thrown out of bed by the force of the explosion, the man getting a few cuts about the head from pieces of glass from a shattered window.

The woman was scared but not hurt. Pieces of broken window glass and plaster from the ceiling slightly injured the Traficanti children in the bedroom next to that of the parents.

The police decided that dynamite was the explosive used because most of the force was exerted downward. The explosion made a big hole in the hallway floor and damaged the walls. An alarm of fire was turned in, but there was no fire.

Traficanti is a barber and has a shop in the same building. He was unable to give the police any information that might explain who set off the bomb. He declared he had no enemies so far as he knew.

Duokey, night watchman for a nearby brewery, told the police he saw a man leaving the hall door of the tenement a short time before the explosion.

ROBERT STUYVESANT BURIED.

Body Placed in the Same Vault as That of Petrus Stuyvesant.

The body of Robert Stuyvesant, loyal descendant of Petrus Stuyvesant, last Governor of New Amsterdam, yesterday at noon was placed in the vault beneath St. Mark's Church, where lies the body of the Governor as well as those of half a hundred others of the family. The attendance at the funeral was not large, for of the descendants of Petrus Stuyvesant there are not many now in New York. Among those present were Henry Stuyvesant, a brother of Robert, Mr. William H. Stuyvesant, R. T. Wainwright, Stuyvesant Pilot, Stuyvesant Morris and Van Horn Stuyvesant.

Wesley H. Stuyvesant, a descendant of saint Gattin, C. A. Schermerhorn and Gerard Beekman.

The burial service of the Episcopal Church was held by the Rev. Dr. L. W. Batten, rector of St. Mark's.

The vault in which Robert Stuyvesant's body was placed is much older than the church. It is said to be the last resting place of the family for many generations worshipped. It is nearly 235 years since Petrus, the Governor, was buried there. There stood on the spot where St. Mark's Church now stands a small church which was built by Petrus, but torn down in 1765 to make way for the present church.

Among the bodies in the vault is that of the "Colonel" Governor Stuyvesant and that of Daniel D. Tompkins, one of the first Governors of New York State. The vault was last opened in 1906, when the body of Robert Reid Stuyvesant was placed there.

UNITED STATES HELPING.

Government Experts Find Ten More Bodies in the Darr Mine.

PITTSBURGH, Dec. 21.—Clarence Hall of the United States Geological Survey and R. P. Chamberlain, a Government chemist, to-day took charge of the work of attempted rescue at Jacob Creek, where 175 miners are entombed. The Government officials believe that the situation which will be used in future disasters.

With Mr. Hall was A. E. Dondson of New York, inventor of an appliance to be worn by miners in case of gas, and Mr. Hall and Mr. Dondson entered the Darr mine and proceeded past the point where the rescuers had previously gone. They found ten bodies which will be taken out of the mine to-morrow. But thirteen bodies have been recovered. Arrangements are being made for a combination funeral on Christmas Day.

Supt. J. K. Armstrong of the Darr mine is trying to find out something about Clark Adams, a mine expert who was studying conditions in the mine who lost his life in the mine. Adams' home is supposed to be in Wilkesbarre.

CRAZY MAN KILLS HIS FAMILY.

Wife, Daughter and Brother Murdered by Albert Filley.

CAMBRIDGE, Mo., Dec. 21.—Albert Filley, 35 years of age, was supposed to be insane, killed his wife and daughter and his brother-in-law yesterday. Clay Filley's wife was also attacked, but escaped.

When L. Stuyvesant, marshal of Cameron, arrived he found the murderer seated in the room where the bodies lay. Filley had killed his wife with a hammer as she lay in bed and his daughter with a knife ten days ago. He shot his daughter and his brother and attacked his brother's wife with a hammer.

Bishop Coleman's Estate Not Over \$20,000.

WILMINGTON, Del., Dec. 21.—The will of the late Right Rev. Dr. Leighton Coleman, Bishop of the Protestant Episcopal Diocese of Delaware, who died last Saturday, was filed for probate to-day. While the exact value of the estate is not known it is said this morning that it will not amount to more than \$20,000, which includes \$7,000 in life insurance. Many public bequests are made.

CHRISTMAS
Greatest Pleasure
is the giving of
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There are only Two Days left to buy! Christmas will be here Wednesday! Don't puzzle over the gift problem—buy a Waterman's Ideal Fountain Pen. It's made for man, woman and child—and to suit the individuality of each. It's easy to buy—all leading jewelers, opticians, stationers and druggists, as well as all of the large stores, carry them in stock. Where assortment does not contain the pen wanted, a large supply can be had for the asking. Every pen is guaranteed and is exchangeable until you are satisfied.

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PLAIN	FILIGREE	CHASED	GOLD	PATCH
N212 \$3.50	N212 \$5.00	N212 \$5.50	N212 \$7.50	N212 \$7.50
N213 \$3.50	N213 \$5.00	N213 \$5.50	N213 \$7.50	N213 \$7.50
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N218 \$3.50	N218 \$5.00	N218 \$5.50	N218 \$7.50	N218 \$7.50

WITH PENS FOR THE WE SUPPLY HOLY DESIGN BOX WITHOUT ADDITIONAL CHARGE.

SUIT OVER AN OLD PORTRAIT.

Sold by Mistake for \$1.65 and Resold as a Gainsborough for \$20,000.

PHILADELPHIA, Dec. 21.—Fluding two separate legal proceedings for its recovery, an old English oil portrait, on the one hand said to be the picture of Elizabeth Garrig, a distant member of an old Philadelphia family, long since dead, and on the other hand declared to be a Gainsborough worth \$20,000, is again in the courts. How it was sold through a mistake at auction for \$1.65 how it was bought up by the purchaser and resold for \$20,000, and how then all trace of the picture vanished, was told in the narrative of an equity suit heard by presiding Judge Wilson and Judge Anderson in the Court of Common Pleas No. 1 to-day.

The picture in the case was Emma L. Hewitt of Germantown and Minerva D. Garbar, the wife of a decorative painter. Miss Hewitt assumed that the picture, which she testified was not a Gainsborough, but a portrait of Elizabeth Garrig, one of her maternal ancestors, was in the possession of Mrs. Difenbach, and asked that the painter's wife be enjoined from making any disposition of it. The evidence disclosed, however, that the picture had already been sold, and the court was constrained to dismiss Miss Hewitt's suit. It was sold as a Gainsborough by Mrs. Difenbach, who asserts that that's what it is and has experts to prove it.

THREE LIVE ON FINNAN'S WIFE.

Julia Bray Thought to Have Been After the Husband, a Policeman.

Julia Bray, a twenty-year-old nurse, of 234 East 115th street, was arrested last night and locked up in the East 125th street station on a charge of felonious assault. It is alleged she threw live in the face of Mrs. Thomas Finnan of 77 East 117th street. Mrs. Finnan is in the Harlem Hospital and may lose her eye.

The injured woman is the wife of a policeman attached to the Elizabeth street station. Friends of the Bray girl said last night that she was in a delicate condition and that she had made charges against the policeman. Her friends supposed that she had been seduced by the policeman and that